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SUBJECT: NAMIBIA: SWAPO WINS AGAIN AMIDST AN OPPOSITION BOYCOTT

REF: WINDHOEK 303

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Summary  
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¶1. (SBU) As it has in previous by-elections this year, the ruling SWAPO party retained control of the Tobias Hainyeko Constituency seat with an overwhelming victory. The October 31 by-election became necessary when SWAPO expelled the previous Tobias Hainyeko Councilor, Erasmus Hendjala, from the party. Hendjala promptly joined the recently formed Rally for Democracy and Progress (RDP) party. The run-up to the election was marred by SWAPO supporters intimidating opposition party supporters and blocking opposition rallies, as well as allegations of undue SWAPO influence over the Electoral Commission of Namibia (ECN). Three opposition political parties, including RDP, withdrew in protest from the contest on October 28, claiming the electoral registration process had been unfair. One positive sign coming out of the Tobias Hainyeko by-election process is that the police appeared determined to manage political violence. End Summary

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The Election Results  
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¶2. (SBU) Only two of the five parties that had originally submitted candidates participated in the Tobias Hainyeko by-election on October 31. The ruling SWAPO party received 5529 votes and the newly formed All People's Party (APP), in its first election outing, received 164 votes. Only about 23 percent of total registered voters for the constituency participated in the by-election. While the voter turnout was quite low (and much less than in the 2004 general election), such low turnout is not unusual for a by-election. Despite many opposition complaints against the ECN's handling of the pre-election process, the voting on October 31 was conducted without incident. No party has contested the preliminary results. The SWAPO candidate, Zulu Shitongeni, will replace Erasmus Hendjala, the former councilor expelled from SWAPO after being accused of being a sympathizer of the RDP party.

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The Election Process  
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¶3. (SBU) Five political parties, including the ruling SWAPO party, the RDP, the National Unity Democratic Organization (NUDO) party, the Republican Party (RP), and the All Peoples Party (APP) registered candidates for the by-election for the Tobias Hainyeko constituency seat of the Khomas regional government. Tobias Hainyeko comprises several informal settlements on the outskirts of Windhoek. It is regarded as the biggest electoral constituency in the country, with an estimated 60,000 residents and 24,855 registered voters. All five political parties were able to mount some level of campaign activities, but several RDP activities were disrupted by SWAPO party supporters and activists.

¶4. (SBU) RDP, NUDO and the RP on October 28 decided to withdraw from the election, three days before the vote. The three opposition parties cited intimidation against their supporters by ruling party

supporters, and a flawed electoral process as the reasons for their decision. The three boycotting parties claimed that the Electoral Commission of Namibia (ECN) had provided insufficient time (just 5 days) for constituents to register for the by-election. They also alleged that the ECN had not provided adequate time and information prior to the registration period to inform voters about the registration process. Furthermore, the parties charged that the dissemination of registration announcements only in English and Oshiwambo disenfranchised many voters who do not speak either language. (Note: SWAPO's support is strongest amongst Oshiwambo speakers. End Note). The parties also accused the ECN of not informing them about where the supplemental registrations would take place.

15. (SBU) On October 29, opposition party leaders, three from the RP and one from the RDP were arrested as they were distributing flyers to encourage their supporters to boycott the Tobias Hainyeko by-election. The ECN claimed that the opposition party leaders were contravening the Namibian Electoral Act by discouraging voters from exercising their democratic right to choose their representatives. The case has been forwarded to the Prosecutor General's Office for a decision on whether to prosecute. (Note: The Legal Assistance Center, a respected human rights non-governmental organization, has stated that the opposition parties were in fact permitted under Namibian law to encourage people not to vote, as long as they did not physically prevent or intimidate people from doing so. End Note).

16. (SBU) Political tensions in Tobias Hainyeko had started months earlier. On May 10, police had to escort RDP supporters from the Okuryangava settlement of Windhoek because SWAPO party supporters threatened the RDP supporters with violence if they did not leave.

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\* Missing Section 002 \*  
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